

STATE OF NEW YORK)
COUNTY OF CHAUTAUQUA) SS JANUARY 10, 2023
TOWN OF ELLERY)

MINUTES OF THE JANUARY TOWN BOARD MEETING HELD TUESDAY, JANUARY 10, 2023 AT THE TOWN HALL, SUNNYSIDE AVENUE., BEMUS POINT, NY, COMMENCING AT 6:00 PM.

PRESENT: LAWRENCE A. ANDERSON, SUPERVISOR
JEREMY D. CRIST, COUNCILMEMBER
JOHN C. CRESANTI, SR., COUNCILMEMBER
MARK R. SCHLEMMER, COUNCILMEMBER

MINUTES TAKEN BY: REBECCA H. HAINES, TOWN CLERK

OTHERS PRESENT: ANNE GOLLEY, ASSESSOR/ZONING OFFICER
GREG HALLBERG, HIGHWAY SUPERINTENDENT
ROBERT SAMUELSON, CODE ENFORCEMENT OFFICER
NEIL M. ROBINSON, TOWN ATTORNEY

SUPERVISOR ANDERSON CALLED THE MEETING TO ORDER AT 6:00 PM. THE PLEDGE OF ALLEGIANCE WAS OBSERVED.

MINUTES PRESENTED

MOTION BY COUNCILMEMBER SCHLEMMER, SECOND BY COUNCILMEMBER CRESANTI: THAT THE TOWN BOARD ACCEPT THE MINUTES FROM THE OCTOBER 4, 2022, OCTOBER 11, 2022, OCTOBER 20, 2022, NOVEMBER 8, 2022, AND DECEMBER 13, 2022, TOWN BOARD MEETINGS AS PRESENTED.

MR. CRIST – AYE MR. CRESANTI – AYE
MR. SCHLEMMER – AYE MR. ANDERSON – AYE – MOTION CARRIED

DECEMBER REPORTS

TOWN CLERK, REBECCA HAINES SUBMITTED TWO REPORTS. THE DECEMBER REPORT TO THE SUPERVISOR TOTALED \$1,434.00. THE CHECK TO THE TOWN TOTALED \$ 1,075.46. THE TOWN CLERK'S 2022 ANNUAL REPORT WAS ALSO PRESENTED TO THE TOWN BOARD.

TOWN SUPERVISOR – OFFICIAL UNDERTAKING

TOWN CLERK HAINES ASKED THE TOWN BOARD TO APPROVE THE OFFICIAL UNDERTAKING FOR TOWN SUPERVISOR ANDERSON.

MOTION BY COUNCILMEMBER CRESANTI, SECONDED BY COUCILMEMBER CRIST: THAT THE TOWN BOARD OF THE TOWN OF ELLERY APPROVE THE DOCUMENT ENTITLED "TOWN OF ELLERY OFFICIAL UNDERTAKING OF MUNICIPAL OFFICERS" AS TO ITS FORM AND MANNER OF EXECUTION AND THE SUFFICIENCY OF THE INSURANCE FOR THE TOWN SUPERVISOR.

MR. CRIST – AYE
MR. SCHLEMMER – AYE

MR. CRESANTI – AYE
MR. ANDERSON – AYE – MOTION CARRIED

OTHER REPORTS SUBMITTED WERE FROM THE ZONING OFFICER, CODE ENFORCEMENT OFFICER, ASSESSOR, TOWN JUSTICES, TOWN SUPERVISOR AND THE ANNUAL REPORT FROM THE TOWN HISTORIAN.

PUBLIC

JEFFREY MOLNAR THE NEW MAYOR OF THE VILLAGE OF BEMUS POINT INTRODUCED HIMSELF TO THE TOWN BOARD. HE SAID HE IS LOOKING FORWARD TO WORKING WITH THE TOWN. HE NOTED THAT HE WILL BE PRESENTING THE CONTRACT FOR THE SHARED SERVICES OF THE CODE ENFORCEMENT OFFICER POSITION, TO THE VILLAGE BOARD AT THEIR NEXT MEETING.

CHAUTAUQUA LAKE REPORT – JIM WEHRFRITZ

TOWN OF ELLERY LAKE CONSULTANT, JIM WEHRFRITZ TOUCHED BASE ON 2023 TOWN OF ELLERY HERBICIDE-BASED INVASIVE WEED MANAGEMENT. THE 2023 GRANT APPLICATIONS TO **CLWMA** FOR HERBICIDE TREATMENT FOR OFFSHORE ELLERY HAVE BEEN SUBMITTED. THERE WAS AN UPDATE ON THE CHAUTAUQUA LAKE PROTECTION AND REDEDIATION AGENCY. ACCORDING TO MR. WEHRFRITZ – THINGS ARE HEATING UP. FULL REPORT ON FILE.

BUDGET TRANSFERS/MODIFICATIONS

MOTION BY COUNCILMEMBER CRESANTI, SECOND BY COUNCILMAN CRIST: THAT THE FOLLOWING BUDGET TRANSFERS/MODIFICATIONS FOR OCTOBER, NOVEMBER AND DECEMBER, 2022, BE APPROVED AS PRESENTED.

MR. CRIST – AYE
MR. SCHLEMMER – AYE

MR. CRESANTI – AYE
MR. ANDERSON – AYE – MOTION CARRIED

GENERAL FUND TOWN WIDE

Budget Transfer: **OCTOBER**

\$1,901 FROM A1990.4 - SPECIAL ITEMS - CONTINGENT
\$1,901 TO A1220.4 - SUPERVISOR - CONTRACTUAL

\$5,287 FROM A1990.4 - SPECIAL ITEMS - CONTINGENT
\$5,287 TO A1410.11 - TOWN CLERK - PERSONAL SERVICES - DEPUTY

\$1,130 FROM A1990.4 - SPECIAL ITEMS - CONTINGENT

\$1,130 TO A7110.11 - PARKS - PERSONAL SERVICES - PART-TIME

\$90 FROM A1990.4 - SPECIAL ITEMS - CONTINGENT

\$90 TO A7510.4 - HISTORIAN - CONTRACTUAL

GENERAL FUND OUTSIDE VILLAGE

\$309 FROM B9040.8 - EMPLOYEE BENEFITS - WORKERS COMP

\$29 FROM B9030.8 - EMPLOYEE BENEFITS - SOCIAL SECURITY

338 TO B5182.4 - STREET LIGHTING - CONTRACTUAL

HIGHWAY FUND TOWN WIDE

\$2,145 FROM DA9060.8 - EMPLOYEE BENEFITS - HOSPITAL & MEDICAL

\$2,145 TO DA5120.4 - BRIDGES - CONTRACTUAL

YOUTH RECREATION FUND

\$15 FROM SY7310.4 - YOUTH PROGRAM - CONTRACTUAL

\$15 TO SY9030.8 - EMPLOYEE BENEFITS - SOCIAL SECURITY

SPECIAL LIGHT DISTRICT

\$4 FROM SL5182.4.2 – STREET LIGHTING – ORIENTAL PARK

\$4 TO SL5182.4.3 – STREET LIGHTING – MAPLE SPRINGS

GENERAL FUND TOWN WIDE

Budget Transfer: **NOVEMBER**

\$26 FROM A1990.4 - SPECIAL ITEMS - CONTINGENT

\$26 TO A1220.4 - SUPERVISOR - CONTRACTUAL

\$5,846 FROM A1990.4 - SPECIAL ITEMS - CONTINGENT

\$5,846 TO A1410.11 - TOWN CLERK - PERSONAL SERVICES - DEPUTY

\$80 FROM A1990.4 - SPECIAL ITEMS - CONTINGENT

\$80 TO A1620.1 - BUILDING - PERSONAL SERVICES

\$1,411 FROM A1990.4 - SPECIAL ITEMS - CONTINGENT

\$1,411 TO A1620.4 - BUILDING - CONTRACTUAL

\$1,320 FROM A1990.4 - SPECIAL ITEMS - CONTINGENT

\$1,320 TO A7110.11 - PARKS - PERSONAL SERVICES - PART-TIME

\$7 FROM A1990.4 - SPECIAL ITEMS - CONTINGENT
 \$7 TO A7510.4 - HISTORIAN - CONTRACTUAL

HIGHWAY FUND TOWN WIDE

\$5,600 FROM DA9060.8 - EMPLOYEE BENEFITS - HOSPITAL & MEDICAL
 \$5,600 TO DA5120.4 - BRIDGES - CONTRACTUAL

HIGHWAY FUND OUTSIDE VILLAGE

\$6,790 FROM DB9060.8 - EMPLOYEE BENEFITS - HOSPITAL & MEDICAL
 \$6,790 TO DB5110.4 - GENERAL REPAIRS - CONTRACTUAL

BUDGET TRANSFERS - DECEMBER

\$26 FROM A1990.4 - SPECIAL ITEMS - CONTINGENT
 \$26 TO A1220.4 - SUPERVISOR - CONTRACTUAL

\$5,846 FROM A1990.4 - SPECIAL ITEMS - CONTINGENT
 \$5,846 TO A1410.11 - TOWN CLERK - PERSONAL SERVICES - DEPUTY

\$454 FROM A1990.4 - SPECIAL ITEMS - CONTINGENT
 \$454 TO A1620.1 - BUILDING - PERSONAL SERVICES

\$1,363 FROM A1990.4 - SPECIAL ITEMS - CONTINGENT
 \$1,363 TO A1620.4 - BUILDING - CONTRACTUAL

\$128 FROM A1990.4 - SPECIAL ITEMS - CONTINGENT
 \$128 TO A1910.4 - SPECIAL ITEMS - UNALLOCATED INSURANCE

\$263 FROM A1990.4 - SPECIAL ITEMS - CONTINGENT
 \$263 TO A3310.4 - TRAFFIC CONTROL - CONTRACTUAL

\$87 FROM A1990.4 - SPECIAL ITEMS – CONTINGENT
 A9030.8 - EMPLOYEE BENEFITS - SOCIAL SECURITY

\$13	FROM	A1990.4 - SPECIAL ITEMS – CONTINGENT
		A9045.8 – EMPLOYEE BENEFITS – HOSPITAL & MEDICAL – TOWN CLERK
\$179	FROM	A1990.4 - SPECIAL ITEMS – CONTINGENT
\$179	TO	A9060.81 - EMPLOYEE BENEFITS - HOSPITAL & MEDICAL - TOWN CLERK
\$750	FROM	B9010.8 - EMPLOYEE BENEFITS - STATE RETIREMENT
\$750	TO	B5182.4 - STREET LIGHTING - CONTRACTUAL
\$13	FROM	DA9060.8 - EMPLOYEE BENEFITS - HOSPITAL & MEDICAL
\$13	TO	DA5120.4 - BRIDGES - CONTRACTUAL
\$362	FROM	DA9060.8 - EMPLOYEE BENEFITS - HOSPITAL & MEDICAL
\$362	TO	DA5130.4 - MACHINERY - CONTRACTUAL
\$2,230	FROM	DA9060.8 - EMPLOYEE BENEFITS - HOSPITAL & MEDICAL
\$2,230	TO	DA9050.4 - EMPLOYEE BENEFITS - UNIFORMS
\$4,669	FROM	DB9060.8 - EMPLOYEE BENEFITS - HOSPITAL & MEDICAL
\$4,669	TO	DB5110.4 - GENERAL REPAIRS - CONTRACTUAL

VOUCHERS

MOTION BY COUNCILMEMBER SCHLEMMER, SECONDED BY COUNCILMEMBER CRESANTI: THAT VOUCHER #'S 622 THROUGH 679, WARRANT # 12, IN THE AMOUNT OF \$215,235.87, AND VOUCHER #'S 680 THROUGH 722, WARRANT # 13, IN THE AMOUNT OF \$68,169.96, AND VOUCHER #'S 1 THROUGH 8, VOUCHER #'S 10 THROUGH 17, WARRANT # 1, IN THE AMOUNT OF \$17,400.30, BE PAID AS AUDITED.

MR. CRIST – AYE

MR. SCHLEMMER – AYE

MR. CRESANTI – AYE

MR. ANDERSON – AYE – MOTION CARRIED

HIGHWAY SUPERINTENDENT REPORT

HIGHWAY SUPERINTENDENT HALLBERG REPORTED THAT THE DEPARTMENT HAS BEEN BUSY WITH MAINTENANCE AT THE SHOP AS WELL AS CUTTING BRUSH.

APPROVAL –HIGHWAY 284 LAW

MOTION BY COUNCILMEMBER SCHLEMMER, SECONDED BY COUCILMEMBER CRIST: THAT AT THE REQUEST OF HIGHWAY SUPERINTENDENT HALLBERG THE TOWN BOARD APPROVE AND SIGN THE HIGHWAY LAW #284 AS REQUIRED.

MR. CRIST – AYE

MR. CRESANTI – AYE

MR. SCHLEMMER – AYE

MR. ANDERSON – AYE – MOTION CARRIED

HIGHWAY SUPERINTENDENT HALLBERG NOTED THAT IT IS TIME TO RENEW/UPDATE THE FUEL CONTRACT WITH THE SCHOOL AND FIRE DISTRICTS. CURRENTLY THE TOWN CHARGES 15 CENTS EXTRA WITH 8 CENTS GOING INTO A RESERVE AND 7 CENTS FOR MAINTENANCE OF THE SYSTEM, ETC. THERE WAS SOME DISCUSSION ABOUT THE HIGHER COST OF GASOLINE AND DIESEL AND THE TOWN MAYBE NEEDING TO INCREASE THE CONVENIENCE FEE.

TOWN ATTORNEY REPORT

TOWN ATTORNEY ROBINSON NOTED THAT THERE ARE TWO LOCAL LAWS THAT MUST HAVE PUBLIC HEARINGS RESCHEDULED.

MOTION BY COUNCILMEMBER SCHLEMMER, SECOND BY COUNCILMEMBER CRIST: THAT THE PUBLIC HEARINGS FOR LOCAL LAW # 1 OF 2023 – A LOCAL LAW REGULATING SOLAR ENERGY SYSTEMS AND LOCAL LAW #2 OF 2023 – A LOCAL LAW AMENDING THE MINIMUM AQUARE FOOTAGE OF FLOOR SPACE FOR SINGLE FAMILY RESIDENCES WITHIN CERTAIN ZONING DISTRICTS, BE SCHEDULED FOR FEBRUARY 14, 2023, AT 6:00 PM AND 6:16 PM RESPECTIVELY.

MR. CRIST – AYE

MR. CRESANTI – AYE

MR. SCHLEMMER – AYE

MR. ANDERSON – AYE – MOTION CARRIED

IT WAS NOTED THAT THE TOWN STILL NEEDS TO SCHEDULE A PUBLIC HEARING ON THE UPDATED CODE ENFORCEMENT LAW THAT WAS SUPPOSED TO BE ADOPTED BY THE END OF THE 2022 YEAR.

EMPLOYEE HANDBOOK

COUNCILMEMBER CRESANTI NOTED THAT HE WILL BE AVAILABLE ON WEDNESDAY-FRIDAYS BEGINNING IN FEBRUARY AND IS WILLING TO WORK WITH OFFICE PERSONNEL ON THE EMPLOYEE HANDBOOK.

ADJOURNMENT

MOTION BY COUNCILMEMBER CRESANTI, SECOND BY COUNCILMEMBER SCHLEMMER: THAT THE TOWN BOARD MEETING ADJOURN AT 6:55 PM.

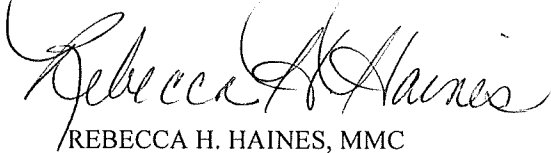
MR. CRIST – AYE

MR. CRESANTI – AYE

MR. SCHLEMMER – AYE

MR. ANDERSON – AYE – MOTION CARRIED

SUBMITTED:

A handwritten signature in cursive script, reading "Rebecca H. Haines". The signature is written in black ink and is positioned above the printed name and title.

REBECCA H. HAINES, MMC
ELLERY TOWN CLERK

/RHH